

ORIGINAL

FILED

August 11 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA
No. DA 10-0041

STATE OF MONTANA,

Plaintiff and Appellee,

v.

TIMOTHY G. WALTER,

Defendant and Appellant.

FILED

AUG 11 2010

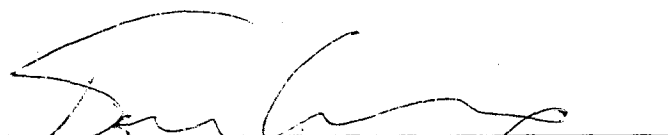
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CLERK OF THE SUPREME COURT
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MOTION FOR EXTENSION OF TIME

Appellant Timothy Walter respectfully requests a 14-day extension of time until August 25, 2010, in which to prepare, serve, and file his reply brief in the above-entitled matter. His brief is currently due on August 11, 2010, and this is his first request for an extension.

The extension is requested because undersigned counsel has experienced a family emergency that will require his time and attention during the next week, making it impossible for him to complete the brief within the time allotted. Opposing counsel has been contacted concerning this motion and does not object.

Respectfully submitted this 9th day of August, 2010.


David Avery, counsel for Timothy Walter


CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2010, I caused a true and accurate copy of
the foregoing brief to be mailed to:

Mr. Matthew Cochenour
Assistant Montana Attorney General
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Helena, MT 59620-1401,

and

Ms. Suzy Boylan
Missoula Deputy County Attorney
200 West Broadway
Missoula, MT 59802.



David Avery